

EXPRESS MAIL NO.: EV467411755US
DEPOSITED ON: June 23, 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/667,108 **Confirmation No.: 2857**
Applicants: Steven A. Root and Michael R. Root
Filed: September 19, 2003
TC/AU: 2857
Examiner: D. McElheny Jr.
Title: INTERACTIVE ADVISORY SYSTEM
Docket No.: 8379.006
Customer No.: 30589

Mail Stop FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 23313-1450

DECLARATION UNDER 37 CFR 1.131

Sir:

COUNTY OF OKLAHOMA)
) ss.
STATE OF OKLAHOMA)

I, Steven A. Root, being first duly sworn upon oath, do declare as follows:

1. All statements made herein of my knowledge are true and all statements made on information and belief are believed to be true, and further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §

1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issued thereon.

2. I am a co-applicant of the patent application identified above and a co-inventor of the subject matter described and claimed therein.

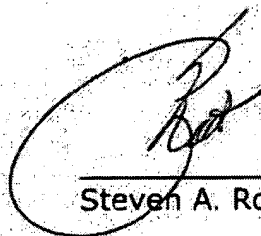
3. Prior to February 14, 2000, I had conceived the invention described and claimed in the above-identified application in this country as evidenced by the following:

- a. Prior to February 14, 2000, I prepared and signed a document entitled "WeatherBrief Wireless Application Protocol (WAP)". A copy of the document entitled "WeatherBrief Wireless Application Protocol (WAP)" is attached hereto as Exhibit A. The date masked from Exhibit A is prior to February 14, 2000.
- b. Prior to February 14, 2000, having earlier conceived the idea of a wireless interactive process, I prepared notes describing a "Wireless Application Protocol" having a user profile that is web based. A copy of the document is attached hereto as Exhibit B. The date masked from Exhibit B is prior to February 14, 2000.

- c. Prior to February 14, 2000, I prepared and signed a facsimile transmission cover sheet to Mr. David Pope, Ph.D. A copy of the facsimile transmission cover sheet is attached hereto as Exhibit C. The date masked from Exhibit C is prior to February 14, 2000.
- d. Prior to February 14, 2000, I prepared notes and a moving map depicting a user's movement (1-5) and the spatial range around a user in which weather data is generated. A copy of the document is attached hereto as Exhibit D. The date masked from Exhibit D is prior to February 14, 2000.
- e. Prior to February 14, 2000, I prepared a "Note to File" regarding efforts to search for new/existing wireless weather applications. A copy of the document is attached hereto as Exhibit E. The date masked from Exhibit E is prior to February 14, 2000.
- f. Prior to February 14, 2000, I prepared a facsimile transmission cover sheet to Mr. David Pope, Ph.D., with notes regarding the Wireless Application Protocol ("WAP") and that the cell services may be geographically based wherein the cell company will have data on location. A copy of the document is attached hereto as Exhibit F. The date

masked from Exhibit F is prior to February 14, 2000.

FURTHER AFFIANT SAYETH NOT.

A handwritten signature in black ink, appearing to be "S. Root", is written over a horizontal line.

Steven A. Root